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C O N F I D E N T I A L SECTION 01 OF 02 PARAMARIBO 000323

SIPDIS

C O R R E C T E D - C O P Y COMMENT SECTION TEXT

SIPDIS

WHA/CAR FOR LAURA LUFTIG, ISN FOR JOAN CORBETT

E.O. 12958: DECL: 06/22/2017

TAGS: [NS](#) [PREL](#) [PGOV](#) [KAWC](#)

SUBJECT: INACTION AS POLICY: ARTICLE 98 IN SURINAME

REF: A. 2006 PARAMARIBO 802

[1](#)B. 2007 PARAMARIBO 289

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Classified By: A.S. Utschig for reasons 1.4 (b) and (d)

[1](#)1. (C) SUMMARY: Under pressure from the Ministry of Defense (MOD) and the uniformed military, the Government of Suriname (GOS) appears to stick to its position that if it joins the International Criminal Court (ICC) it will also sign an Article 98 agreement. However, it will not be likely to do either, as political opprobrium, particularly from Parliament, would likely follow. The GOS rests comfortably on the delaying tactic with the excuse that Surinamese laws would have to be modified before it could join the ICC, and debate on the issue in Suriname eventually withers out through inaction. END SUMMARY

No News May be Good News

[1](#)2. (C) When queried on June 21 as to whether Suriname has made any progress in its decision-making process on the ICC and Article 98, Head of the Americas Division Terence Craig of the GOS Ministry of Foreign Affairs (MFA) said, in his best unilluminating manner (ref A), "as far as I know we still need to accede to the Treaty of Rome." (NOTE: In other words, he said nothing.) Thus, the latest word from the GOS remains that if it accedes to the treaty, it will also sign an Article 98 agreement.

Article 98 Widely Unpopular in Parliament

[1](#)3. (C) While the idea of acceding to the Treaty of Rome is popular in Suriname, the idea of signing an Article 98 agreement is not, and that applies to both coalition as well as opposition parliamentarians. Opposition sparkplug Harriet Ramdien told Post that in addition to her opposition colleagues, there are many coalition politicians who are urging President Ronald Venetiaan behind the scenes not to sign any Article 98 agreement. The coalition has been public as well. Coalition member Ruth Wijdenbosch leads the push to join the ICC, but has said publicly that she will vote against any Article 98 agreement which might come before parliament. This is ironic, as Ms. Wijdenbosch also chairs parliament's military working group. Internally within the GOS, Post understands that the MOD and Chief of Defense Ernst Mercuur have worked to sensitize their colleagues on the

detrimental effect that ICC accession without Article 98 signature would have on USG tangible support for Suriname,s military. During public debate of the matter in January 2007, another prominent coalition member, Sharmilla Mangal-Mansaram, said that "the only sensible standpoint is immediate accession to the Treaty of Rome," but that to sign an Article 98 agreement is to "throw your sovereignty in the gutter," and that the U.S. position is "outrageous and odious."

"We,re Working on It"

¶4. (C) In the face of MOD concern over possible loss of USG military assistance, it is President Venetiaan and Foreign Minister Lygia Kraag-Keteldijk who have repeatedly held back progress on the ICC and the Article 98 issue, and they seem to have done so by making up excuses. When parliamentary discussion of the issue erupted earlier this year, Venetiaan said he would need to consider within GOS circles how Suriname should go about joining the ICC, but also that the good bilateral relations with the U.S. must not be endangered. Kraag-Keteldijk came to his rescue after this standpoint was criticized as weak, waffling, and opportunistic. She said that the problem lay in the Surinamese legal system: the ICC recognizes the common law system, while Suriname uses a civil law system. She added that criminal law in Suriname would need to be adjusted for international law, which demands "thorough and very specific expert preparation." Coalition parliamentarian Sharmilla Mangal-Mansaram called parts of this nonsense. Her January 22 comments remain the last public word on this issue.

¶5. (C) COMMENT: In a rare instance of defending a standpoint the U.S. holds dear (ref B), Venetiaan and Kraag-Keteldijk appear to have held the line on the ICC/98 question through their delaying tactics. Unfortunately, avoiding the problem altogether by stalling is not the same as enthusiastic support. Venetiaan,s concern for "good

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bilateral relations" with the U.S. may sound nice to USG ears, but his waffling likely is more a nod to internal politics. Venetiaan and his Foreign Minister likely have two goals: one, to mollify Defense Minister Fernald and his Chief of Defense, Colonel Mercuur, by maintaining U.S. military aid levels, and two, to avoid public debate on the issue. They secured the latter by not signing an Article 98 agreement and the former by not acceding to the ICC. This is typical of the non-confrontational, cautious politics of the GOS, and is unlikely to change as long as Venetiaan and Kraag-Keteldijk continue to hold their positions. However, if the opposition comes into power, sentiment to join the ICC but not sign an Article 98 agreement will be very strong, with few powerful opponents. END COMMENT
SCHREIBER HUGHES